



TO: Knoxville-Knox County Planning Commission
FROM: Lindsay Crockett, AICP | Principal Planner/Design Review Program Manager
DATE: August 2, 2023
SUBJECT: 8-A-23-OA; 8-B-23-OA; 8-C-23-OA; 8-D-23-OA; 8-E-23-OA
Agenda Items #15-19

RECOMMENDATION

Staff recommends zoning code amendments to enable middle housing in the City follow the process of implementation as defined by Opticos Design, Inc. in the September 2022 [Missing Middle Housing \(MMH\) Scan](#) and the *Missing Middle Housing* book (summary provided in Exhibit A).

The staff recommendation applies to agenda items 8-A-23-OA, 8-B-23-OA, 8-C-23-OA, 8-D-23-OA, and 8-E-23-OA, five amendments to the City of Knoxville Zoning Code proposed by Mr. R. Bentley Marlow. Each individual case file contains the exhibits listed below.

The recommended process will include a review of relevant plans to ensure alignment between the code and adopted plans and address discrepancies or errors in the proposed amendments. The process recommended by staff will:

1. focus on a target area naturally supportive to middle housing forms;
2. include dimensional and design standards to guide house-scale buildings which are compatible with the existing neighborhood contexts, and;
3. encourage retention of existing houses via conversions or additions that remain in character with the surrounding neighborhood.

The recommended process will also incorporate public input via workshops, educational opportunities, and/or public meetings.

Exhibit A: Summary, Recommended Process to Address Missing Middle Housing
Exhibit B: Memos, City of Knoxville Office of the Mayor; City of Knoxville Law Department
Exhibit C: Individual Case Files
Proposed Amendment Text
Planning Staff Summary and Analysis
City of Knoxville Plans Review and Inspections Analysis



Exhibit A: Summary, Recommended Processes to Address Missing Middle Housing

Opticos Design, Inc, *MMH Scan: Analysis + Definition of Barriers to Missing Middle Housing, Prepared for the City of Knoxville, TN* (Berkeley, CA: September 2022).

Daniel Parolek and Arthur C. Nelson, *Missing Middle Housing: Thinking Big and Building Small to Respond to Today's Housing Crisis* (Washington, DC: 2020).

- Definition of Missing Middle Housing: “house-scale buildings with multiple units in walkable neighborhoods”
 - Addressing MMH in Knoxville requires updates to the zoning code to:
 - Accommodate multiple units
 - Ensure house-scale buildings compatible with the context
 - Work within existing and potential walkable neighborhoods

Recommended process

1. Identify MMH-ready neighborhoods: “MMH types are most successful when located in an existing or newly built walkable context.”
 - Report identifies MMH-ready neighborhoods in Knoxville, characterized by smaller block sizes, access to bicycle routes, access to mixed-use areas, small-to-medium lot sizes, proximity to amenities
2. Identify and address existing barriers to MMH
 - Recommendations 1-11 focus on small area plans and sector plans
 - Recommendations 13-25 analyze the current zoning code
 - Recommendations discourage blanket regulation of density or minimum lot area by zoning district
 - Recommendations 16 and 17: regulate minimum lot width, maximum building footprint, height, and parking, “according to the needs of the different MMH types.”
 - Recommendation 17: “For MMH developments, do not regulate density. Instead, regulate maximum building footprint, height, and parking.”
 - Recommendation 25: “For MMH development, **allow all MMH types by right if clear standards are applied to control building height, footprint, parking and parking location, building entry/frontage, and streetscapes**. Development that does not use these standards would be required to go through the special use process.”
3. Implement MMH
 - Identify a target area defined by existing and potential walkable centers; prioritize MMH within the 5 to 10-minute walkable environments around the walkable centers
 - Apply the findings of the MMH Scan to the target areas
 - Prioritize fitting the desired MMH types to the actual lot sizes in specific walkable environments; identify additional changes or standards needed
 - Use design standards to ensure “house-scale” buildings
 - “If changing the standards of the RN-2, RN-3, RN-4, and RN-5 zones *only where MMH developments are expected* is not practical, enable MMH through a new MMH zone and standards, or through a set of overlay standards.”

CITY OF KNOXVILLE

INDYA KINCANNON, MAYOR



Erin Gill
Chief Policy Officer
Deputy to the Mayor

July 19, 2023

Amy Brooks
Executive Director
Knoxville-Knox County Planning
400 Main Street, #403
Knoxville, TN 37902

Re: Planning Files 8-A-23-OA through 8-E-23-OA

Dear Ms. Brooks:

Knoxville-Knox County Planning asked several City departments to review the aforementioned files, which contain proposed amendments to the City Zoning Code to promote the development of "missing middle" housing.

As you know, the City has been actively working to compile and propose amendments to the Zoning Code to support middle housing since March 2023. To ensure our proposal is thorough and comprehensive, we have engaged a cross-departmental team with staff from Knoxville-Knox County Planning, Plans Review & Inspections, Engineering, Law, Zoning, Policy, the Fire Marshall, Economic Development, and Housing and Neighborhood Development. We hope to bring proposed amendments to Knoxville-Knox County Planning Commission in October 2023.

We are concerned that the amendments proposed in 8-A-23-OA through 8-E-23-OA may ultimately create points of conflict within the existing code that complicate, rather than streamline, the process of developing middle housing. We are designing our forthcoming proposal to avoid these conflicts, as well as to be more comprehensive in scope, taking into consideration the impact and needs of all areas of Knoxville, as well as recommendations from the Opticos Design scan in the fall of 2022.

We look forward to sharing more about our plans in the coming weeks.

Sincerely,

A handwritten signature in blue ink, appearing to read "Erin Gill".

Erin Gill
Chief Policy Officer, Deputy to the Mayor

CITY OF KNOXVILLE



Law Department
Charles W. Swanson
Law Director

July 17, 2023

Amy Brooks
Executive Director
Knoxville-Knox County Planning
400 Main St. #403
Knoxville, TN 37902

Re: Planning Files 8-A-23-OA through 8-E-23-OA

Dear Ms. Brooks,

Knoxville-Knox County Planning asked the City Law Department to review files 8-A-23-OA through 8-E-23-OA, which contain proposed amendments to the City Zoning Code to promote the development of “missing middle” housing.

The City prioritizes changes to the Zoning Code to promote the development of missing middle housing. For that purpose, City staff members are working actively to compile and propose various amendments to the Zoning Code. The working group includes members from the departments of Planning, Law, Zoning, Building, Engineering, Policy, and Economic Development. While working on what will be the City’s proposal, the working group is taking into consideration the impact and needs of all areas of Knoxville.

The working group anticipates bringing proposed amendments to the Knoxville-Knox County Planning Commission in October.

Sincerely,

A handwritten signature in blue ink, appearing to read "Christina Magrans-Tillery".

Christina Magráns-Tillery
Staff Attorney
City of Knoxville Law Department

8-D-23-OA

ARTICLE 11.3

C. An interior side or rear setback is required in parking lots, as measured from the edge of parking lot to the lot line, as follows. Required site landscape per Article 12 may be located in this setback.

1. Industrial districts abutting agricultural or residential districts: 20 feet.
2. Office or commercial districts abutting agricultural or residential districts: 20 feet.
3. Multi-family dwellings abutting agricultural or single-family districts: 10 feet
4. Detached multi-family dwellings abutting single-family districts: 0 feet.
5. ~~4.~~ Non-residential use in residential district: 10 feet.
6. C-N used exclusively for residential (1F, 2F, Townhomes & Detached MF) abutting single-family districts: 0 feet.

ARTICLE 11.4 Required Off Street Parking Spaces Table 11-2 [See Missing Middle Housing Report, Section 3.2, Recommendation No. 20, page 63]

Dwelling – Above the Ground Floor 0 to 1 bedroom: 1 per du + guest parking 2 bedrooms: 1.25 per du + guest parking 3 bedrooms: 1.5 per du + guest parking 4+ bedrooms: 2 per du + guest parking Housing development renting by bedroom: 0.67 per bedroom Guest parking (located in areas commonly accessible to all du): 0.2 per du 0 to 1 bedroom: 1.25 per du + guest parking 2 bedrooms: 1.75 per du + guest parking 3 bedrooms: 2.25 per du + guest parking 4+ bedrooms: 2.5 per du + guest parking Housing development renting by bedroom: 1.2 per bedroom Guest parking (located in areas commonly accessible to all du): 0.25 per du

~~Dwelling – Manufactured Home 2 per du No limit~~

~~Dwelling – Multi-Family 0 to 1 bedroom: 1 per du + guest parking 2 bedrooms: 1.25 per du + guest parking 3 bedrooms: 1.5 per du + guest parking 4+ bedrooms: 2 per du + guest parking Housing development renting by bedroom: 0.67 per bedroom Guest parking (located in areas commonly accessible to all du): 0.2 per du 0 to 1 bedroom: 1.25 per du + guest parking 2 bedrooms: 1.75 per du + guest parking 3 bedrooms: 2.25 per du + guest parking 4+ bedrooms: 2.5 per du + guest parking Housing development renting by bedroom: 1.2 per bedroom Guest parking (located in areas commonly accessible to all du): 0.25 per du~~

~~Dwelling – Townhouse 2 per du + 0.25 per du guest parking No limit~~

~~Dwelling—Single-Family 2 per du No limit~~

~~Dwelling—Two-Family 2 per du No limit~~

ARTICLE 11.4B [See Missing Middle Housing Report, Section 3.2, Recommendation Nos. 14-16, pages 57-58 and Recommendation 20, page 63]

2. Minimum vehicle parking reductions apply in the following districts. Bicycle parking requirements may not be reduced.

a. Required minimum vehicle parking may be reduced by 40% in the C-N District.

b. Required minimum vehicle parking may be reduced by 20% in the C-G-2 and C-G-3 District.

c. Required minimum vehicle parking may be reduced to 1 per du in any commercial district that is within one-fourth mile of a transit route.

d. Required minimum vehicle parking may be eliminated when adequate on-street parking exists in front of the property.



TO: Knoxville-Knox County Planning Commission
FROM: Lindsay Crockett, AICP | Principal Planner
DATE: August 2, 2023
SUBJECT: 8-D-23-OA Agenda Item #18

This is the next in a series of amendments proposed by Mr. R. Bentley Marlow. Below is a summary of the changes proposed for Article 11, followed by Planning staff analysis.

SUMMARY OF PROPOSED CHANGES

Article 11.3.C, Off-Street Parking Location, Interior Side Setbacks:

1. Add language that waives a parking lot requirement for detached multifamily dwelling development abutting single family residential districts.
2. Adds a provision waiving an interior side setback in cases where the C-N is used exclusively for residential uses (1F, 2F, TH, and detached MF) and is abutting residential districts.

Article 11.4, Table 11-2, Required Off-Street Parking:

1. Removes parking requirements for almost all residential uses (i.e., manufactured homes, multifamily developments, townhouses, single-family dwellings, and two-family dwellings), retaining parking requirements for above-ground dwellings.

Article 11.4.B, Exemptions and Flexibilities:

1. Adds a provision reducing the minimum number of vehicle parking spaces required to 1 space per dwelling unit in any commercial district when it is within $\frac{1}{4}$ mile of a transit route.
2. Adds a provision eliminating the required minimum parking when adequate street parking exists in front of the property.

STAFF ANALYSIS

Article 11.3.C

- “Detached multi-family” is an incomplete definition and should not receive parking-related exemptions until further defined.
- Elimination of interior side or rear setbacks for parking lots conflicts with utility and drainage easement requirements in the Subdivision Regulations.
- In situations where a C-N district contains only residential uses, it would function like a residential zone. All residential zones have interior side setbacks, so this provision creates a different standard for residential areas in C-N districts.
- The MMH Scan recommends revising multi-family parking area setbacks from 10’ to 5’ to allow for a landscape planter; it does not recommend removing setbacks entirely.

Article 11.4, Table 11-2

- The cited recommendation in the MMH Scan states “for MMH developments within 0.25 of a transit stop or combination of amenities, reduce to one space/unit. For MMH developments within 0.25 of a transit stop with service every 15 minutes, eliminate requirement entirely.”
- It is unclear why “dwelling-above the ground floor” is the only residential use which retains parking requirements.
- Elimination of parking for multifamily developments would force all residents to park on the street. This may not be feasible in areas where sight distance is an issue, creating safety issues for pedestrians, or where street parking is not possible due to street width or some other physical condition.
- Additionally, depending on the size of the multifamily development, there may not be enough parking spaces on the block to accommodate all residents, and this would not account for guest parking.
- Eliminating parking requirements for almost all residential uses in every zoning district throughout the City would create unintended consequences, as not all of Knoxville’s neighborhoods are developed “within short walking distance of amenities,” per the MMH Scan. The MMH Scan notes that while the City’s current parking requirements are “understandable for typical multifamily development that isn’t in a walkable neighborhood, a different approach is needed for MMH.”

Article 11.4.B

- The cited MMH Scan recommendations do not pertain to the proposed code amendments which follow.
- There is already a provision for properties within ¼ mile of a transit route. Article 11.4.B.3 allows a 30% reduction from the minimum requirements in such cases. For context, for a multifamily development, this reduction would yield a requirement of 0.3 spaces per 1 bedroom unit, 0.375 spaces per 2 bedroom unit, and 0.45 spaces per 3 bedroom unit, and 0.6 spaces per 4 bedroom unit, in addition to guest parking.
- “Adequate on-street parking” is a subjective concept which would require additional definition in the code. A comprehensive parking analysis would need to be undertaken to further quantify and define “adequate.”





8-D-23-OA

Article 11.3

- The detached multi-family dwelling is not a definition that needs to be added. See first set of bullet points addressing this. No need to include it in here.
- Many existing residences get converted over the years to non-residential uses. A single family or duplex constructed in C-N with no setback could be converted in subsequent years to a non-residential use. The setback incorporates all potential uses, not just the present one.

Article 11.4

- It is unclear based on striking out all residential parking requirements except the “Dwelling – Above the Ground Floor” as to how and when these are applied? Are they only for missing middle housing and the new definition provided above with Dwelling – Detached Multi-Family?

Article 11.4B

- According to the U.S. Census Bureau’s 2021 American Community Survey 5-Year Estimate, approximately 92 percent of occupied housing in the City of Knoxville had at least one vehicle, while 59 percent had two or more. Knoxville is still very car centric and auto dependent for mobility. Providing transportation options such as public transit, greenways, sidewalks, etc., should continue to be encouraged, but to reduce parking requirements in light of the large number of occupied homes with vehicles only creates a burden on neighboring properties and public infrastructure as to where these vehicles will now need to be parked.



Development Request

DEVELOPMENT

- Development Plan
- Planned Development
- Use on Review / Special Use
- Hillside Protection COA

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
 - SP
 - OYP
- Rezoning

R. Bentley Marlow

Applicant Name		Affiliation
22 June 2023	10 August 2023	File Number(s) 8-A-23-OA, 8-B-23-OA, 8-C-23-OA, 8-D-23-OA, 8-E-23-OA
Date Filed	Meeting Date (if applicable)	

CORRESPONDENCE *All correspondence related to this application should be directed to the approved contact listed below.*

Applicant
 Property Owner
 Option Holder
 Project Surveyor
 Engineer
 Architect/Landscape Architect

R. Bentley Marlow

Name	Company		
322 Douglas Avenue	Knoxville	Tenn.	37921
Address	City	State	ZIP
865-607-4357	rbentleymarlow@gmail.com		
Phone	Email		

CURRENT PROPERTY INFO

Marlow Properties, LLC	322 Douglas Avenue	865-607-4357
Property Owner Name (if different)	Property Owner Address	Property Owner Phone
Property Address		Parcel ID
KUB	KUB	N
Sewer Provider	Water Provider	Septic (Y/N)

STAFF USE ONLY

General Location		Tract Size
<input checked="" type="checkbox"/> City <input type="checkbox"/> County	District	Existing Land Use
Zoning District		
Planning Sector	Sector Plan Land Use Classification	Growth Policy Plan Designation

DEVELOPMENT REQUEST

- Development Plan Use on Review / Special Use Hillside Protection COA
 Residential Non-Residential

Related City Permit Number(s)

Home Occupation (specify) _____

Other (specify) _____

SUBDIVISION REQUEST

Related Rezoning File Number

Proposed Subdivision Name _____

Unit / Phase Number Combine Parcels Divide Parcel Total Number of Lots Created _____

Other (specify) _____

Attachments / Additional Requirements

ZONING REQUEST

Pending Plat File Number

Zoning Change Proposed Zoning _____

Plan Amendment Change Proposed Plan Designation(s) _____

Proposed Density (units/acre) _____

Previous Rezoning Requests _____

Other (specify) Ordinance Amendment (change zoning text) - Proposed changes attached.

STAFF USE ONLY

PLAT TYPE

- Staff Review Planning Commission

ATTACHMENTS

- Property Owners / Option Holders Variance Request

ADDITIONAL REQUIREMENTS

- Design Plan Certification (*Final Plat*)
 Use on Review / Special Use (*Concept Plan*)
 Traffic Impact Study
 COA Checklist (*Hillside Protection*)

Fee 1		Total
1203	\$5,000.00	\$5,000.00
Fee 2		
Fee 3		

AUTHORIZATION

- I declare under penalty of perjury the foregoing is true and correct:
1) He/she/it is the owner of the property AND 2) The application and all associated materials are being submitted with his/her/its consent


Applicant Signature

R. Bentley Marlow

26 June 2023

Please Print

Date

865-607-4357

rbentleymarlow@gmail.com

Phone Number

Email


Property Owner Signature

R. Bentley Marlow / Marlow Properties, LLC

SG,07/07/2023

Please Print

Date Paid